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20 **ATTORNEY FOR DEFENDANT**
21 **EDWARD SUSUMO AZANO HESTER**

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28 **THE UNITED STATES DISTRICT COURT**
FOR THE SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO

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MOTION

Defendants José Susumo Azano Matsura (“Susumo”) and Edward Susumo Azano Hester (“Susu”), through their counsel, hereby respectfully move the court to enter an order directing counsel for all other parties, including the United States, to approach the bench, with counsel for Susumo and Susu, outside of the presence of the jury, to obtain a ruling on admissibility, prior to offering any evidence, by testimony or by any document or exhibit, and before making any comment or eliciting any comment, concerning any of the following matters:

1. Any reference to Susumo's or Susu's or their family's or any of either one's friends' or associates' wealth, income, residences, accounts, vehicles, or planes, clothing; purchases, restaurant or hotel purchases or bills; vacations; gifts given or received; or any other real or personal asset or expenditure;
2. Any reference to either Susumo or Susu or any member of their family's involvement in any kind of narcotics trafficking, arms smuggling, or any related activity. Such allegations are inflammatory and utterly false;
3. Any reference to any uncharged conduct, or any alleged bad act, under Rule 403(b), or otherwise;
4. Any alleged statement of a co-conspirator;
5. Any reference to alleged family discord of any kind.

Defendants base this motion on the notice of this motion, the attached memorandum of points and authorities, the files and materials of record in this case, and any other matters that may be brought at the time of hearing on this motion

Dated: June 20, 2016.

1
2 Respectfully submitted,
3

4 */s/ Michael J. Wynne*
5 Michael J. Wynne*
6 Texas State Bar No. 00785289
7 Hughes Arrell Kinchen, LLP
8 1221 McKinney St. | Suite 3150
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10 Telephone: (713) 574-6514
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12 E-mail: mwynne@hakllp.com
13 **ATTORNEY FOR DEFENDANT**
14 **JOSÉ SUSUMO AZANO MATSURA**

15 */s/ Donald J. DeGabrielle*
16 Donald J. DeGabrielle*
17 Texas State Bar No. 24063659
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23 E-mail: degabrielle@chaffe.com
24 **ATTORNEY FOR DEFENDANT**
25 **EDWARD SUSUMO AZANO HESTER**

26 *admitted *Pro Hac Vice*

27 **CERTIFICATE OF CONFERENCE**

28 I have communicated during this proceeding with counsel for the United States, and based
29 on those conversations, I can state that they would be opposed to this motion.

30 */s/ Michael J. Wynne*
31 Michael J. Wynne

CERTIFICATE OF SERVICE

I hereby certify that on June 20, 2016, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system, which will send a notice of electronic filing to all CM/ECF participants.

/s/ Michael J. Wynne
Michael J. Wynne

**admitted Pro Hac Vice*

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